

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN DIVISION

IN RE: § CASE NO. 14-70198-M-13
JOSE SALAS, JR., and DALIA L. SALAS, §
Debtor(s) § CHAPTER 13

EXPEDITED MOTION TO WITHDRAW AS COUNSEL OF RECORD

RULE 9013 NOTICE

THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 21 DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING, UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.

REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEYS.

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

COMES NOW, MALAISE LAW FIRM, Movant herein, and files this Motion to Withdraw as Counsel of Record for the Debtors and would respectfully show the Court the following:

1. This case was commenced on March 31, 2014 when Jose Salas, Jr., and Dalia L. Salas filed under Chapter 13. A Plan has not been confirmed in this case.
2. Debtors' failure to adhere to their chapter 13 duties and responsibilities is prohibiting Counsel to proceed with representation of the Debtors in this proceeding.
3. There is currently a pending Motion to Dismiss filed by the Chapter 13 Trustee

which is set for hearing at 9:00 a.m., Thursday, January 22, 2015 at the U.S. Bankruptcy Court in McAllen, Texas. Further, Debtors are currently behind with Trustee plan payments in the amount of \$3,819.07 through December, 2014. Additionally, there are multiple amendments which have been requested by the Chapter 13 Trustee in connection with the Debtors' last filed amendments.

WHEREFORE, premises considered, Movant prays that this Court enter its Order authorizing MALAISE LAW FIRM to withdraw as Counsel of record for the Debtors and for any further relief to which Movant may show itself entitled.

Respectfully submitted,
MALAISE LAW FIRM

BY: /s/ Eduardo V. Rodriguez
Eduardo V. Rodriguez
Texas Bar No. 00795621
Fed I.D. # 19945
1265 North Expressway 83
Brownsville, Texas 78520
(956) 547-9638 Voice
(956) 547-9630 Fax

CERTIFICATE OF SERVICE

I hereby certify that on January 2nd, 2015 I served a copy of the foregoing Motion to Withdraw as Counsel of Record upon the following parties, via Regular United States Mail, postage prepaid, unless otherwise requested by electronic filing:

Trustee:

Cindy Boudloche, Chapter 13
555 N. Carancahua, Suite 600
Corpus Christi, TX 78478

U.S. Trustee
606 N. Carancahua, Suite 1107
Corpus Christi, TX 78476

Debtor(s):

Jose Salas, Jr., and Dalia L. Salas
3422 Barbara Lane
Edinburg, TX 78542

and to all of the parties listed on the attached matrix.

/s/ Eduardo V. Rodriguez
Eduardo V. Rodriguez

Aaron's Rent, Inc.
2800 Canton Road, Suite 900
Marietta, GA 30066

Guzman Pediatrics
c/o Creditor Service Bureau
855 W. Price Rd., Ste. 2
Brownsville, TX 78520

Navy Army Community CU
P.O. Box 81349
Corpus Christi, TX 78468-1349

Aaron's, Inc.
2800 Canton Road, Suite 900
Marietta, GA 30066

HSBC Retail Services/Best Buy
P.O. Box 5253
Carol Stream, IL 60197-5253

Perdue, Brandon, Fielder,
Collins & Mott, L.L.P.
c/o John T. Banks
3301 Northland Drive, Suite 505
Austin, TX 78731

American InfoSource LP as agent
T Mobile/T Mobile USA Inc
P.O. Box 248848
Oklahoma City, OK 73124-8848

Internal Revenue Service
P.O. Box 7346
Philadelphia, PA 19101-7346

PRA Receivables Management, LLC
10 Orchard, Suite 100
Lake Forest, CA 92630

Applied Card Bank
Attn: General Inquiries
P.O. Box 17125
Wilmington, DE 19850

Internal Revenue Service
Special Procedures
300 East 8th St., STOP 5026AUS
Austin, TX 78701

Premier Bankcard
P.O. Box 2208
Vacaville, CA 95696

Attorney General of Texas
c/o Asst Atty General Kimberly
P.O. Box 12548
Austin, TX 78711-2548

Jefferson Capital Systems, LLC
P.O. Box 7999
St. Cloud, MN 56302-9617

Rio Grande Regional Hospital
c/o West Asset Management
2703 North Highway 75
Sherman, TX 75090

Capital One
P.O. Box 30281
Salt Lake City, UT 84130-0281

Lfd Furniture
3025 Boca Chica Blvd
Brownsville, TX 78521

Santa Cruz ID #15
c/o Diane W. Sanders
Linebarger Goggan Blair & Sampson
P.O. Box 17428
Austin, TX 78760-7428

Conn Appliances, Inc.
CAI, LP d/b/a Conn's
P.O. Box 2358
Beaumont, TX 77704-2358

Linebarger Goggan Blair & Sampson
c/o Diane W. Sanders
P.O. Box 17428
Austin, TX 78760-7428

Security Service-ins
PO Box 691510
San Antonio, TX 78269

Credit One Bank
PO Box 98873
Las Vegas, NV 89193

Malaise Law Firm
1265 N. Expressway 83
Brownsville, TX 78520

Shapiro Schwartz, LLP
5450 NW Central Dr., Ste. 307
Houston, TX 77092

First National Bank
Attn: Lynn Barlow
P.O. Box 660
Edinburg, TX 78540

Midland Credit Management, Inc.
8875 Aero Drive, Suite 200
San Diego, CA 92123

Texan Credit
609 E. University
Edinburg, TX 78539

First Premier Bank
P.O. Box 2208
Vacaville, CA 95696

Nationstar Mortgage LLC
Attn: Bankruptcy
350 Highland Dr
Lewisville, TX 75067

Texas Comptroller of Public Accounts
Office of the Attorney General
Bankruptcy - Collections Division
P.O. Box 12548
Austin, TX 78711-2548

The Monitor
c/o CollectRite
650 E. Montana, Ste. 1
Las Cruces, NM 88001-4294

Time Warner
c/o Credit Protection Associati.
13355 Noel Road, Suite 2100
Dallas, TX 75240

United Auto Credit Corp.
c/o Weinstein & Riley, P.S.
2001 Western Ave., Ste. 400
Seattle, WA 98121

VM
c/o Account Recovery
P.O. Box 2899
Wilmington, DE 19805
Bad Address

Washington Mutual-Providian
4940 Johnson Dr.
Pleasanton, CA 94588
Bad Address

Weinstein, Pinson & Riley
Bankruptcy Services
2001 Western Avenu, Suite 400
Seattle, WA 98121

Western Shamrock Corp.
801 S. Abe, Ste. 2A
San Angelo, TX 76903